

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Bobby T. Sheppard,	:	Death Penalty Case
	:	
Petitioner,	:	Case No. 1:00cv493
	:	
-vs-	:	Judge Walter Herbert Rice
	:	
Margaret Bagley, Warden,	:	Magistrate Judge Merz
	:	
Respondent.	:	

MOTION AND MEMORANDUM IN SUPPORT OF MOTION FOR EXTENSION
OF TIME TO FILE OBJECTIONS TO REPORT AND RECOMMENDATION
GRANTING IN PART AND DENYING IN PART REQUEST FOR WRIT OF
HABEAS CORPUS

Petitioner respectfully requests an additional eleven days -- until June 25, 2004 -- to object to certain portions of the Court's June 1, 2004 Report and Recommendation. Petitioner's Counsel is preparing objections to the Report and Recommendation, but due to the scope of the issues discussed the Report and Recommendation and the breadth of the 110 page Report and Recommendation, Sheppard's Counsel needs additional time in order to effectively represent Mr. Sheppard.¹

Counsel for Sheppard has attempted to reach Counsel for Margaret Bagley to discuss this request, but Counsel for Sheppard has not been successful in reaching Counsel for Margaret Bagley to determine her position on this motion.

¹ Due to the President George Bush's Declaration of Friday June 11, 2004 as a Federal Holiday, Petitioner's objections would otherwise be due on June 14, 2004.

A proposed order has been e-mailed to Judge Merz, pursuant to the local rules.

Respectfully submitted,
s/Geoffrey J. Moul
Geoffrey J. Moul (0070663)
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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2004 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles L. Wille
Assistant Attorney General
Capital Crimes Section
30 E. Broad Street, 26th Floor
Columbus, OH 43215

s/Geoffrey J. Moul

